

FILED

DEC 14 2015

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*

DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

YETI Coolers, LLC,

Plaintiff,

v.

RTIC Coolers, LLC,

Defendant.

Civil Action No. 1:15-cv-00597-RP

Judge Robert L. Pitman

Special Master Karl Bayer

SCHEDULING ORDER

Pursuant to Federal Rule of Civil Procedure 16, the following Scheduling Order is entered by the Court:

Event	Proposed Deadline
Rule 26(f) conference	September 29, 2015
Proposed joint scheduling order submission	October 5, 2015
Exchange of Rule 26(a)(1)(A) initial disclosures	October 12, 2015
File notice concerning reference to United States Magistrate Judge	October 12, 2015
YETI provides written settlement offer	October 16, 2015
RTIC provides written response to YETI's settlement offer	October 27, 2015
Initial pretrial conference	November 2, 2015
File ADR Report	November 6, 2015
YETI's infringement contentions and claim chart for the '819 Patent	November 20, 2015
YETI to identify any issued utility patents it plans to add to its Complaint and the claims it believes are infringed for the coolers RTIC has said it will produce by December 18, 2015.	December 11, 2015

Event	Proposed Deadline
YETI to identify any issued design patents it plans to add to its Complaint and the claims it believes are infringed for the coolers RTIC has said it will produce by December 18, 2015.	December 30, 2015
YETI's infringement contentions and claim chart(s) for any patents (utility and design) it plans to add to its Complaint by January 15, 2016	January 15, 2016
RTIC's invalidity contentions and claim chart for the '819 Patent	January 25, 2016
RTIC's invalidity contentions and claim chart for any patents YETI adds to its Complaint by January 15, 2016	February 22, 2016
Simultaneous exchange of proposed terms for construction	March 2, 2016
File and serve motions seeking to join other parties or amend pleadings	March 3, 2016
Simultaneous exchange of proposed patent claim constructions	March 8, 2016
Patent tutorial before Special Master Bayer	March 23, 2016 @ 9:00 AM
Deadline for the parties to meet and confer regarding proposed patent claim constructions	March 31, 2016
Opening patent <i>Markman</i> briefs (simultaneous), the parties understand that Special Master Bayer intends that a presumptive 20 page limit applies, and leave from Special Master Bayer is required for briefs longer than 20 pages.	April 7, 2016
To the extent the parties intend to rely on expert reports for purposes of <i>Markman</i> proceedings, expert reports will be due the same date. Expert depositions will occur between March 31, 2016 and April 22, 2016.	
Rebuttal patent <i>Markman</i> briefs (simultaneous), the parties understand that Special Master Bayer intends that a presumptive 5 page limit applies, and leave from Special Master Bayer is required for briefs longer than 5 pages.	April 21, 2016
Patent <i>Markman</i> hearing	April 28-29, 2016 @ 9am

Event	Proposed Deadline
Post-hearing patent <i>Markman</i> briefs (simultaneous), the parties understand that Special Master Bayer intends that a presumptive 20 page limit applies, and leave from Special Master Bayer is required for briefs longer than 20 pages.	Two weeks after the Parties receive the transcript of the <i>Markman</i> hearing (approx. May 12, 2016)
Post-hearing rebuttal patent <i>Markman</i> briefs (simultaneous), the parties understand that Special Master Bayer intends that a presumptive 5 page limit applies, and leave from Special Master Bayer is required for briefs longer than 5 pages.	Two weeks after opening post-hearing briefs (approx. May 26, 2016)
Exchange burden of proof expert reports (Fed. R. Civ. P. 26(a)(2)(B))	September 20, 2016
Exchange rebuttal expert reports (Fed. R. Civ. P. 26(a)(2)(B))	October 11, 2016
Close of all discovery	November 4, 2016
Deadline to file and serve dispositive motions and objections to the reliability of an expert's proposed testimony under FRE 702	November 18, 2016
Responses to dispositive motions and objections to the reliability of an expert's proposed testimony under FRE 702	December 7, 2016
Replies in support of dispositive motions and objections to the reliability of an expert's proposed testimony under FRE 702	December 21, 2016
Trial (<i>Jury Selection & Trial</i>) 9am	Week of February 21, 2017
Approximate length of jury trial	4-6 days

SIGNED this 14th day of December, 2015.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE